IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DEREK KHANNA, individually and derivatively on behalf of Shimbly Corporation,))
Plaintiff,))
v.) Case No. 21-cv-5752
KATELYNN BANKS, ISELLMLS.COM, INC. d/b/a CINDY BANKS TEAM, CINDY BANKS, TONY BANKS, PAMELA CARY, RICHARD CARY, EIRIK SOMERVILLE, MARYAM HUSSEIN,)) Hon. Judge Virginia M. Kendall) Magistrate Judge Keri Holleb-Hotaling))
Defendants, and)
SHIMBLY CORPORATION, a Delaware Corporation,)))
Nominal Defendant.)

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSES TO SECOND AMENDED COMPLAINT

Defendants, Katelynn Banks ("Banks"), ISellMLS.com, Inc., Cindy Banks, Tony Banks, Eirik Somerville, and Shimbly Corporation (collectively "Defendants"), respectfully move this Court, pursuant to FED. R. CIV. P. 6(b) for a twenty-one (21) day extension of time, up to and including May 2, 2025, to file their responses to Plaintiff's Second Amended Complaint. (ECF 292.) Defendants state as follows in support:

- 1. On March 28, 2025, Plaintiff filed his Second Amended Complaint.
- 2. Pursuant to the applicable rules of civil procedure, Defendants' responses to the Second Amended Complaint are due on April 11, 2025. FED. R. CIV. P. 15.
- 3. Defendants need additional time to prepare and file their response to the Second Amended Complaint.

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4. Defendants are working diligently to prepare their responses, and need an

additional twenty-one (21) days (until May 2, 2025) to assess the allegations in the Second

Amended Complaint and complete their responses.

5. Defendants do not make this motion for any improper purpose or for purposes of

delay. Plaintiff will not be prejudiced by the Court granting this motion, as Defendants are only

seeking a twenty-one (21) day extension and discovery has been stayed while the parties engaged in

settlement discussions and while Plaintiff retained new counsel.

6. Defendants met and conferred with Plaintiff by e-mail on April 8, 2025, to request

Plaintiff's position and/or consent regarding the proposed twenty-one (21) day extension.

Plaintiff confirmed that he does not oppose the motion.

7. This is the Defendants' first request for an extension of time to file their responses

to the Second Amended Complaint.

WHEREFORE, Defendants respectfully request that the Court grant their first motion

for extension of time to file responses to the Second Amended Complaint, grant Defendants

an extension of time of twenty-one (21) days, up to and including May 2, 2025, to file their

responses to the Second Amended Complaint, and for such other and further relief as this Court

deems just and proper under this circumstances.

Dated: April 10, 2025

Katelynn Banks, iSellMLS.com, Inc., Cindy Banks, Tony Banks, Eirik Somerville, and Shimbly Corporation

By: /s/ Mitchell J. Edlund

One of their attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2025, a copy of the foregoing was filed electronically with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record via the Court's CM/ECF automated filing system.

/s/ *Mitchell J. Edlund*Mitchell J. Edlund

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